

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

VIVIAN BERT, et al.	:	Case No. C-1-02-467
	:	
Plaintiffs,	:	Judge Beckwith
	:	
v.	:	Magistrate Judge Hogan
	:	
AK STEEL CORPORATION	:	DECLARATION OF
	:	<u>GREGORY PARKER ROGERS</u>
Defendant.	:	

Gregory Parker Rogers truthfully states that the following is based on his personal knowledge and further truthfully states that he is competent to testify if called.

1. I am a partner at the law firm of Taft, Stettinius & Hollister LLP. In that capacity, I represent AK Steel Corporation in this matter.

2. The only charge filed on April 25, 2000 with the Equal Employment Opportunity Commission ("EEOC") by one of the seventeen named Plaintiffs in the above-referenced matter of which we are aware was charge number 221A00442, which was filed by Vivian Bert. A copy of this charge is attached as Exhibit 1. The EEOC issued Bert a notice of right to sue on March 28, 2001. A copy of this notice is attached as Exhibit 2.

3. The earliest charge filed by one of the named Plaintiffs who claims to have unsuccessfully taken the test in Ashland of which we are aware is the charge filed by Ashland Plaintiff Darrell Carter on June 8, 2002. A copy of this charge is attached as Exhibit 3.

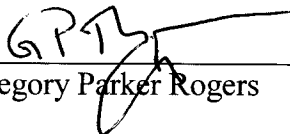
4. The earliest charge filed by any Middletown named Plaintiff, who claims to have unsuccessfully taken the test and for which a notice of right to sue was received within ninety days of filing this lawsuit or thereafter, was the charge of Donald Edwards, which, according to the charge, was filed on July 9, 2002. A copy of this charge is attached as Exhibit 4. The EEOC issued a notice of right to sue on this charge on January 9, 2003. A copy of this notice is attached as Exhibit 5.

5. Donald Edwards had filed a previous charge with the EEOC. A copy of this charge is attached as Exhibit 6. The EEOC issued a notice of right to sue on this charge on March 28, 2001. A copy of this notice is attached as Exhibit 7.

6. A copy of Thaddeus Freeman's EEOC charge is attached as Exhibit 8. The EEOC issued a notice of right to sue on this charge on March 28, 2001. A copy of this notice is attached as Exhibit 9.

I declare under penalty of perjury that the foregoing is true and correct.

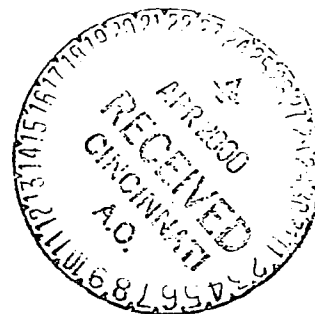
Dated this 30<sup>th</sup> day of November, 2005.

  
\_\_\_\_\_  
Gregory Parker Rogers

<b>CHARGE OF DISCRIMINATION</b> This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.		AGENCY <input type="checkbox"/> FEPA <input type="checkbox"/> EEOC	CHARGE NUMBER 221A00442
State or local Agency, if any _____		and EEOC	
NAME (Indicate Mr., Ms., Mrs.) Vivian Bert		HOME TELEPHONE (Include Area Code) (513) 423-5408	
STREET ADDRESS 1812 Cherry Street, Middletown, Ohio 45044		DATE OF BIRTH 06/06/57	
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)			
NAME A.K. Steel Company	NUMBER OF EMPLOYEES, MEMBERS	TELEPHONE (Include Area Code) (513) 683-5300	
STREET ADDRESS CITY, STATE AND ZIP CODE 703 Curtis Street, Middletown, Ohio 45043		COUNTY	
NAME		TELEPHONE NUMBER(include Area Code)	
STREET ADDRESS CITY, STATE AND ZIP CODE		COUNTY	
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es)) <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Color <input type="checkbox"/> Sex <input type="checkbox"/> Religion <input type="checkbox"/> National Origin <input type="checkbox"/> Retaliation <input type="checkbox"/> Age <input checked="" type="checkbox"/> Discrimination <input type="checkbox"/> Other (Specify)		DATE DISCRIMINATION TOOK PLACE earliest (ADEA/EPA) LATEST(ALL) / / August, 1999 <input type="checkbox"/> Continuing Action	
THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):			
<ol style="list-style-type: none"> <li>I am an African American female, age 42 (D.O.B. 06/06/57).</li> <li>On several occasions, the latest being on or about August 1999, I submitted an application for employment with A.K. Steel in Middletown, Ohio. I was applying for entry level jobs. By reason of my background and prior work experience, I am fully qualified for an entry level or a laborer position.</li> <li>To date I have received no response to my application.</li> </ol>			
<input type="checkbox"/> I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - (when necessary for State and Local Requirements)	
I declare under penalty of perjury that the foregoing is true and correct.  Date <u>4/18/05</u> Charging Party (Signature) <u>Vivian Bert</u>		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
SIGNATURE OF COMPLAINANT <u>Vivian Bert</u>		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year) <u>April 18, 2005</u> <u>Pamela J. Spradling</u>	
TEST FORM 5 (09/01/91)		EXHIBIT 1 PENGAD 800-631-6969 PAMELA J. SPRADLING Notary Public, State of Ohio My Commission Expires Sept. 4, 2005	

THE PARTICULARS (CONT.)

4. To the best of my information and belief, the job openings for which I applied were filled by Caucasian applicants with the same or lessor qualifications than mine.
5. I believe that A.K. Steel favors Caucasians over minorities in its hiring policies and practices. I believe I was not hired because A.K. Steel maintains a pattern and practice of discrimination against minority applicants at its Middletown, Ohio facility.



EEOC EMPLOYMENT OPPORTUNITY COMMISSION

## NOTICE OF RIGHT TO SUE

( Issued on request )

APR 02 2006

To: Vivian Bert  
1812 CHERRY STREET  
MIDDLETOWN, OH 45044

From:  
EQUAL EMPLOYMENT OPPORTUNITY COMM.  
Cincinnati Area Office  
550 Main Street, Suite 10-019  
Cincinnati, Ohio 45202-5202

☐ On behalf of a person aggrieved whose identity is **CONFIDENTIAL**  
( 29 C.F.R. 1601.7(a) )

## Charge Number

221A00442

## EEOC Representative

Legal Unit Duty Officer

## Telephone Number

(216) 522-7445

( See the additional information attached to this form )

## NOTICE TO THE PERSON AGGRIEVED:

**Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA):** This is your Notice of Right to Sue. It is issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA **must be filed in federal court WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

- ☒ More than 180 days have passed since the filing of this charge.
- ☐ Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of the charge.
- ☒ The EEOC is terminating its processing of this charge.
- ☐ The EEOC will continue to process this charge.

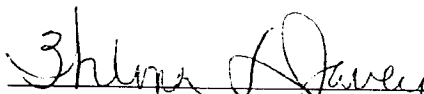
**Age Discrimination in Employment Act (ADEA):** You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**


- ☒ The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal court WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.
- ☐ The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of your charge, you may file suit in federal or state court under the ADEA at this time.

**Equal Pay Act (EPA):** You already have the right to sue under the EPA (filing an EEOC charge is not required). EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit based on this charge, please send a copy of your court complaint to this office.

On Behalf of the Commission

  
\_\_\_\_\_  
Wilma L. Javey, Director

  
\_\_\_\_\_  
(Date)

## Enclosure(s)

cc: A K STEEL  
703 CURTIS STREET  
MIDDLETOWN, OH 45043

PENGAD 800-631-6989

EXHIBIT

2

# CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

AGENCY

CHARGE NUMBER

☐ FEPA  
☒ EEOC

241A201041

Cincinnati Area Office

and EEOC

State or local Agency, if any

NAME(Indicate Mr., Ms., Mrs.)

Mr. Darrell Carter

HOME TELEPHONE (Include Area Code)

(740) 533-9840

STREET ADDRESS

CITY, STATE AND ZIP CODE

DATE OF BIRTH

901 South Seventh St.

Ironton, OH 45638

6/6/55

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME

AK Steel

NUMBER OF EMPLOYEES, MEMBERS

>20

TELEPHONE (Include Area Code)

1-800-331-5050

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

703 Curtis Street

Middletown, Ohio 45043

NAME

TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

☒ RACE ☒ COLOR ☐ SEX ☐ RELIGION ☐ AGE  
☐ RETALIATION ☐ NATIONAL ORIGIN ☐ DISABILITY ☐ OTHER (Specify)

DATE DISCRIMINATION TOOK PLACE  
EARLIEST (ADEA/EPA) LATEST (ALL)  
April 2002

☒ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - (When necessary for State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct.

SIGNATURE OF COMPLAINANT

X 6-8-02 X Darrell H Carter  
Date Charging Party (Signature)

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(Day, month, and year)

**CHARGE OF DISCRIMINATION  
DARRELL CARTER  
PAGE 1**

**I. Overview of Individual and Class Allegations**

AK Steel Corporation has discriminated and continues to discriminate against me in the terms and conditions of my application for employment with them on the basis of my race, African-American, by denying me the opportunity to be hired while hiring equally or less qualified white employees and subjecting me to a racially hostile application process and other forms of discrimination. I believe that AK Steel Corporation's actions are part of a continuing pattern and practice of discrimination against African-American applicants for employment and employees, including but not limited to, denying applicants hiring opportunities while providing such opportunities to equally or less qualified white applicants and subjecting them to a racially hostile application process.

**II. Statement of Facts**

I applied to AK Steel in April 2002 for a General Laborer position at their factory in Ashland, KY. Susan Lester, a woman in charge of recruitment, took my name, scheduled a time for me to take the AK Steel entrance exam, and had me fill out a job application which inquired into standard subjects like my education and work experience. Because of my background of eight years as an Iron Pourer in the Melting Department of Ironton Iron Intermit, I believed myself to be well qualified to do general labor for AK Steel, and anticipated that I would have no trouble passing any test of the skills necessary for this vocation. In addition, I am currently a Human Services Technology student at Ohio University preparing for a career in Case Management at a group home or juvenile delinquent center, so I am accustomed to taking tests. The AK Steel exam asked mechanical and common sense questions which I found to be relatively easy. Two to three weeks later I called Ms. Lester and was informed that I had not passed the test. She refused to discuss my performance with me and cut off all of my questions.

**III. Statement of Discrimination**

I believe that AK Steel Corporation has discriminated against me and continues to discriminate against me in the terms and conditions of my applications for employment with them on the basis of my race, African-American, in violation of the Civil Rights Act of 1964, as amended, because white applicants with fewer qualifications than me have been hired and I have not, and because I have been subjected to a racially hostile application process and other forms of discrimination and denied the right to apply for work in an environment free of racial discrimination.

I have been adversely affected by these discriminatory practices by being deprived of the equal opportunity to be hired. Such discrimination denies me and other African-Americans the right to be hired for positions for which we are qualified.

This systemic discrimination also adversely affects the status of African-Americans as employees by promoting and reinforcing racial stereotypes and bias in hiring.

**CHARGE OF DISCRIMINATION  
DARRELL CARTER  
PAGE 2**

**IV. Statement of Classwide Discrimination on the Basis of Race**

Based on my experiences, I believe that AK Steel Corporation has engaged and continues to engage in a pattern and practice of discrimination against its African-American applicants for employment and employees that denies them equal employment opportunities in ways including but not limited to the following: denying them hiring opportunities while providing such opportunities to equally or less qualified white employees and subjecting them to a racially hostile application process and work environment in which few other African-Americans are employed. This policy violates Title VII of the 1964 Civil Rights Act, 42 U.S.C. Section 2000(e), et seq.

I believe this policy has effected a class of black persons comprised of all past, present and future black applicants for employment with AK Steel. I believe that these discriminatory practices occur throughout AK Steel Corporation. I make this charge on behalf of myself and all similarly situated African-American applicants for employment and employees.

I declare under penalty of perjury that the foregoing is true and correct.



Date: 6-8-02

Alameel H. Carter

Charging Party (signature)

## CHARGE OF DISCRIMINATION

AGENCY

CHARGE NUMBER

Case 1:02-cv-00467-SSB-TSH Document 73-6 Filed 11/30/2005 Page 10 of 18

This form is affected by the Privacy Act of 1974, See Privacy Act Statement before completing this form.

FEPA

EEOC

221A200687

Cincinnati Area Office

and EEOC

State or local Agency, if any

NAME (Indicate Mr., Ms., Mrs.)

Mr. Donald Edwards

HOME TELEPHONE (Include Area Code)

(513) 705-6322

STREET ADDRESS

CITY, STATE AND ZIP CODE

DATE OF BIRTH

801 Crawford St.

Middletown, OH 45408

10-4-60

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME

NUMBER OF EMPLOYEES, MEMBERS

TELEPHONE (Include Area Code)

AK Steel

&gt;20

1-800-331-5050

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

703 Curtis Street

Middletown, Ohio 45043

NAME

TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

DATE DISCRIMINATION TOOK PLACE  
EARLIEST (ADEA/EPA) LATEST (ALL)

☒ RACE ☒ COLOR ☐ SEX ☐ RELIGION ☐ AGE  
☐ RETALIATION ☐ NATIONAL ORIGIN ☐ DISABILITY ☐ OTHER (Specify)

January 2002

☒ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

EEOC, CINCINNATI AREA OFFICE

JUL 09 2002

RECEIVED

want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - (When necessary for State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

declare under penalty of perjury that the foregoing is true and correct.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(Day, month, and year)

Date

June 28, 2002

Charging Party (Signature)

\*Donald Edwards

EEOC FORM 5 (10/94)

PENGAD 800-631-6599

EXHIBIT

4

**CHARGE OF DISCRIMINATION  
DONALD EDWARDS  
PAGE 1**

**I. Overview of Individual and Class Allegations**

AK Steel Corporation has discriminated and continues to discriminate against me in the terms and conditions of my application for employment with them on the basis of my race, African-American, by denying me the opportunity to be hired while hiring equally or less qualified white applicants and subjecting me to a racially hostile application process and other forms of discrimination. I believe that AK Steel Corporation's actions are part of a continuing pattern and practice of discrimination against African-American applicants for employment, including but not limited to, denying applicants hiring opportunities while providing such opportunities to equally or less qualified white applicants and subjecting them to a racially hostile application process.

**II. Statement of Personal Harm**

I applied to do general labor at the AK Steel plant in Middletown, Ohio in January 2002. It was approximately the seventh time I had applied. I found out that AK Steel was hiring from the ads they ran in the paper and on cable TV. My work experience consists of doing manual labor, such as mowing the fields along the sides of Ohio highways, for the Ohio Department of Transportation (ODOT). I have also worked for twelve years at the Fairfield Center for Mental Retardation as a medical supply clerk delivering supplies to the different facilities there. In addition, I have a high school diploma. I filled out an application at Palmer Temp, an organization that handles hiring for AK Steel, and never heard back from either them or AK Steel. In previous applications, such as one in August 2001, I took an aptitude test and was interviewed by a white male Palmer Temp representative. The AK Steel exam included easy questions on simple math, common sense (such as, which weighs more: 500 lbs. of water or 500 lbs. of steel? Obviously they weigh the same), and basic questions on weights and measures. The interviewer asked similar questions. At that time, the Palmer Temp representative told me that they would send my application in to AK Steel and I would be called regardless of whether they wanted to hire me or not. I never heard anything back from them in August 2001, though; and I never heard anything back from them when I reapplied in January 2002. I am currently employed by ODOT, for whom I have been doing manual labor for approximately one month.

**III. Statement of Discrimination**

I believe that AK Steel Corporation has discriminated against me and continues to discriminate against me in the terms and conditions of my applications for employment with them on the basis of my race, African-American, in violation of the Civil Rights Act of 1964, as amended, because white applicants with fewer qualifications than me have been hired and I have not, and because I have been subjected to a racially hostile application process and other forms of discrimination and denied the right to apply for work in an environment free of racial discrimination.

**CHARGE OF DISCRIMINATION  
DONALD EDWARDS  
PAGE 2**

I have been adversely affected by these discriminatory practices by being deprived of the equal opportunity to be hired. Such discrimination denies me and other African-Americans the right to be hired for positions for which we are qualified.

This systemic discrimination also adversely affects the status of African-Americans as employees by promoting and reinforcing racial stereotypes and bias in hiring.

**IV. Statement of Classwide Discrimination on the Basis of Race**

Based on my experiences, I believe that AK Steel Corporation has engaged and continues to engage in a pattern and practice of discrimination against its African-American applicants for employment that denies them equal employment opportunities in ways including but not limited to the following: denying them hiring opportunities while providing such opportunities to equally or less qualified white employees and subjecting them to a racially hostile application process. This policy violates Title VII of the 1964 Civil Rights Act, 42 U.S.C. Section 2000(e), et seq.

I believe this policy has effected a class of African-American persons comprised of all past, present and future African-American applicants for employment with AK Steel. I believe that these discriminatory practices occur throughout AK Steel Corporation. I make this charge on behalf of myself and all similarly situated African-American applicants for employment.

I declare under penalty of perjury that the foregoing is true and correct.

Date: \* 6/28/02

\* Denise Edwards

Charging Party (signature)

To: Donald Edwards  
801 CRAWFORD STREET  
MIDDLETOWN, OH 45042

From: E.E.O.C  
Cincinnati Area Office  
550 Main Street, Suite 10-019  
Cincinnati, Ohio 45202-5202

☐ On behalf of a person aggrieved whose identity is **CONFIDENTIAL** ( 29 C.F.R. 1601.7(a) )

Charge Number

221A200687

EEOC Representative

Legal Unit Duty Officer

Telephone Number

(216) 522-7445

**THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**

- ☐ The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- ☐ Your allegations did not involve a disability that is covered by the Americans with Disabilities Act.
- ☐ The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- ☐ We cannot investigate your charge because it was not filed within the time limit required by law.
- ☐ Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.
- ☐ While reasonable efforts were made to locate you, we were not able to do so.
- ☐ You had 30 days to accept a reasonable settlement offer that affords full relief for the harm you alleged.
- ☐ The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- ☐ The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☒ Other (briefly state) **CHARGING PARTY FILED SUIT IN U.S. DISTRICT COURT**

**- NOTICE OF SUIT RIGHTS -**

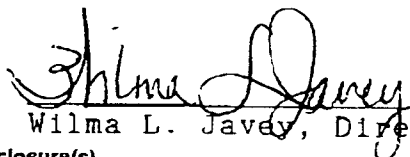
(See the additional information attached to this form)

**Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this Notice; otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred **more than 2 years (3 years)** before you file suit may not be collectible.

If you file suit based on this charge, please send a copy of your court complaint to this office.

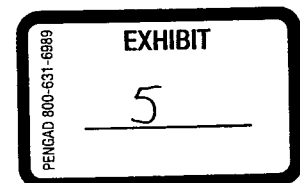
On Behalf of the Commission

  
Wilma L. Javey, Director

Enclosure(s)

cc: A K STEEL  
703 CURTIS STREET  
MIDDLETOWN, OH 45043

09 January 2003  
(Date)



**CHARGE OF DISCRIMINATION**

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

AGENCY

CHARGE NUMBER

☐ FEPA  
☒ EEOC

221A00324

Ohio Civil Rights Commission

State or local Agency, if any

and EEOC

NAME (Indicate Mr., Ms., Mrs.)

HOME TELEPHONE (Include Area Code)

Mr. Donald K. Edwards

(513) 727-0740

STREET ADDRESS

CITY, STATE AND ZIP CODE

DATE OF BIRTH

712 17th Avenue, Middletown, OH 45044

10/04/1960

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME

NUMBER OF EMPLOYEES, MEMBERS

TELEPHONE (Include Area Code)

A K STEEL

Cat D (501 +)

(513) 683-5300

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

703 Curtis Street, Middletown, OH 45043

017

NAME

TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

☒ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN  
☐ RETALIATION ☐ AGE ☐ DISABILITY ☐ OTHER (Specify)DATE DISCRIMINATION TOOK PLACE  
EARLIEST LATEST

08/30/1999 08/30/1999

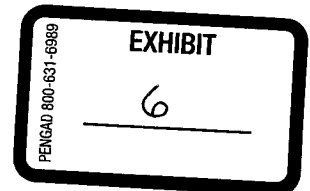
☒ CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):

I. On or around August 9, 1999 I submitted a written application to this employer for an entry level position. As of March 9, 2000 I have not been hired. I have information that since I applied White individuals with comparable or less qualifications than me have been hired.

II. No reason has been given for why I have not been hired.

III. I believe that I have been discriminated against because of my race, Black, in violation of Title VII.



STACEY M. ECKHARDT-CURTIS  
Notary Public, State of Ohio  
My Commission Expires Jan. 2, 2001

*Stacey M. Eckhardt-Curtis*

☒ I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the foregoing is true and correct.

Date

Charging Party (Signature)

NOTARY - (When necessary for State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(Month, day and year)

4.6.2000

APR 02 2006

## NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Donald K. Edwards  
712 17<sup>th</sup> Avenue  
Middletown, Ohio 45044

From: Equal Employment Opportunity Commission  
John Weld Peck Federal Building  
550 Main Street, Suite 10-019  
Cincinnati, Ohio 45202

[ ] On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.	EEOC Representative	Telephone No.
221A00324	Legal Duty Officer	(216)522-7445

(See also the additional information attached to this form.)

## NOTICE TO THE PERSON AGGRIEVED:

**Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA):** This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

- [ X ] More than 180 days have passed since the filing of this charge.
- [ ] Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of the charge.
- [ X ] The EEOC is terminating its processing of this charge.
- [ ] The EEOC will continue to process this charge.

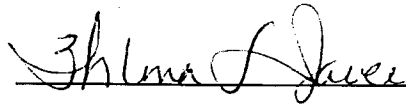
**Age Discrimination in Employment Act (ADEA):** You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**

- [ ] The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on the above-numbered charge will be lost.
- [ ] The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of your charge, you may file suit in federal or state court under the ADEA at this time.

**Equal Pay Act (EPA):** You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit based on this charge, please send a copy of your court complaint to this office.

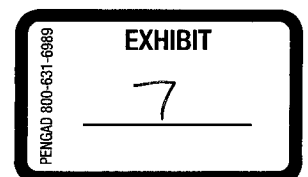
On behalf of the Commission

  
Wilma L. Javey, Director

  
(Date Mailed)

Enclosure(s)

cc: AK Steel





## CHARGE OF DISCRIMINATION

AGENCY

CHARGE NUMBER

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

☐ FEPA  
☒ EEOC

221A00468

Ohio Civil Rights Commission

State or local Agency, if any

and EEOC

NAME (Indicate Mr., Ms., Mrs.)

Mr. Thaddeus R. Freeman

HOME TELEPHONE (Include Area Code)

(513) 424-7075

STREET ADDRESS

CITY, STATE AND ZIP CODE

2637 Cincinnati-Dayton Road, Middletown, OH 45044

DATE OF BIRTH

07/14/1952

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME

A K STEEL

NUMBER OF EMPLOYEES, MEMBERS

Cat D (501 +)

TELEPHONE (Include Area Code)

(513) 683-5300

STREET ADDRESS

CITY, STATE AND ZIP CODE

703 Curtis Street, Middletown, OH 45043

COUNTY

017

NAME

TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

☒ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN  
☐ RETALIATION ☐ AGE ☐ DISABILITY ☐ OTHER (Specify)DATE DISCRIMINATION TOOK PLACE  
EARLIEST LATEST

10/18/1999 07/14/2000

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):

I. I am an African American male, age 47. On several occasions including on or around October 18, 1999 and most recently around July 14, 2000 I submitted applications for employment with A K Steel in Middletown, Ohio. I was applying for entry level jobs. By reason of my background and prior work experience, I am fully qualified for an entry level or a laborer position. As of today's date I have not been hired. I have reason to believe that White applicants have been hired since I applied in October 1999.

II. No reason has been given for why I have not been hired.

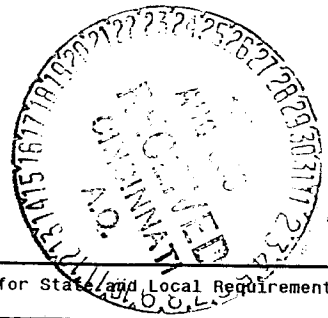
III. I believe that I am being discriminated against because of my race in violation of Title VII.

IV. I believe that African Americans as a class are being denied hire by this employer.

EXHIBIT

8

PENGAD 800-631-6889



☐ I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - (When necessary for State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct.

SIGNATURE OF COMPLAINANT

Thaddeus R. Freeman

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(Month, day and year)

Aug 16 2000

Date

Charging Party (Signature)

# NOTICE OF RIGHT TO SUE

( Issued on request )

To: Thaddeus Freeman  
2637 CINCINNATI-DAYTON ROAD  
MIDDLETOWN, OH 45044

From:  
EQUAL EMPLOYMENT OPPORTUNITY COMM.  
Cincinnati Area Office  
550 Main Street, Suite 10-019  
Cincinnati, Ohio 45202-5202

☐ On behalf of a person aggrieved whose identity is **CONFIDENTIAL**  
( 29 C.F.R. 1601.7(a) )

**Charge Number**

221A00468

**EEOC Representative**

Legal Unit Duty Officer

**Telephone Number**

(216) 522-7445

( See the additional information attached to this form )

**NOTICE TO THE PERSON AGGRIEVED:**

**Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA):** This is your Notice of Right to Sue. It is issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA **must be filed in federal court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

- ☒ More than 180 days have passed since the filing of this charge.  
☐ Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of the charge.  
☒ The EEOC is terminating its processing of this charge.  
☐ The EEOC will continue to process this charge.


**Age Discrimination in Employment Act (ADEA):** You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**

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If you file suit based on this charge, please send a copy of your court complaint to this office.

On Behalf of the Commission

  
Wilma L. Javey, Director

28 March 2001  
(Date)

**Enclosure(s)**

cc: A K STEEL  
703 CURTIS STREET  
MIDDLETOWN, OH 45043

